

**FILED**

**FEB 17 2011**

**RICHARD W. WIEKING**  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

STEVEN CASTRO,

Defendant.

CR No. 10-mj-70233 MAG

**STIPULATION AND ~~PROPOSED~~  
ORDER CHANGING HEARING DATE  
AND EXTENDING TIME LIMITS**

The Court has set February 18, 2011 as the date for a further status conference / preliminary hearing / arraignment. As the case is still in development, the parties hereby request and stipulate to set the next status conference / arraignment date on March 18, 2011, and they request that the Court extend the time limits provided by Federal Rule of Criminal Procedure 5.1(c) and 18 U.S.C. § 3161 from the date of this Order through March 18, 2011.

Pursuant to Rule 5.1(d), the defendant and the government consent to the extension of time, and the parties represent that good cause exists for this extension, including the effective preparation of counsel and continuity of counsel. See 18 U.S.C. § 3161(h)(7)(B)(iv). The government has produced substantial discovery to the defendant, and these materials are

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1 currently being reviewed. The parties also agree that the ends of justice served by granting such  
2 an exclusion of time outweigh the best interests of the public and the defendant in a speedy trial.  
3 18 U.S.C. § 3161(h)(7)(A).

4  
5 SO STIPULATED:

6 MELINDA HAAG  
United States Attorney

7 DATED: February 17, 2011

8 /s/  
KEVIN J. BARRY  
Assistant United States Attorney

9 DATED: February 17, 2011


10 /s/  
ELIZABETH GROSSMAN  
Attorney for STEVEN CASTRO

11  
12  
13 ~~PROPOSED~~ ORDER

14 For the reasons stated above, the Court sets March 18, 2011 as the date for the next status  
15 conference / arraignment / preliminary hearing. The Court also finds that extension of time  
16 limits applicable under Federal Rule of Criminal Procedure 5.1(c) from February 17, 2011  
17 through March 18, 2011 is warranted; that exclusion of this period from the time limits  
18 applicable under 18 U.S.C. § 3161 is warranted; that the ends of justice served by the continuance  
19 under Rule 5.1 outweigh the interests of the public and the defendant in the prompt disposition of  
20 this criminal case; and that the failure to grant the requested exclusion of time would deny  
21 counsel for the defendant and for the government the reasonable time necessary for effective  
22 preparation and continuity of counsel, taking into account the exercise of due diligence, and  
23 would result in a miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(iv).

24 IT IS SO ORDERED.

25  
26 DATED: 2/17/11

27   
THE HONORABLE TIMOTHY J. BOMMER  
United States Magistrate Judge